USAID | ASIA

USAID Environmental Compliance

- USAID also promotes environmental soundness through its mandatory environmental compliance procedures (due diligence).
- Every USAID dollar spent on programming must be examined by the Agency according to Code of Federal Regulations Part 22 Section 216 ("Reg. 216") and USAID ADS Chapter 204, "Environmental Procedures."

USAID | ASIA

Who is responsible?

- **Every USAID officer** who has a role with USAID funded projects (e.g., CTO, BEO, MD, CO, AO, PO, etc.)

- **Every partner** who seeks USAID funds or whose activity is being funded by USAID

USAID | ASIA
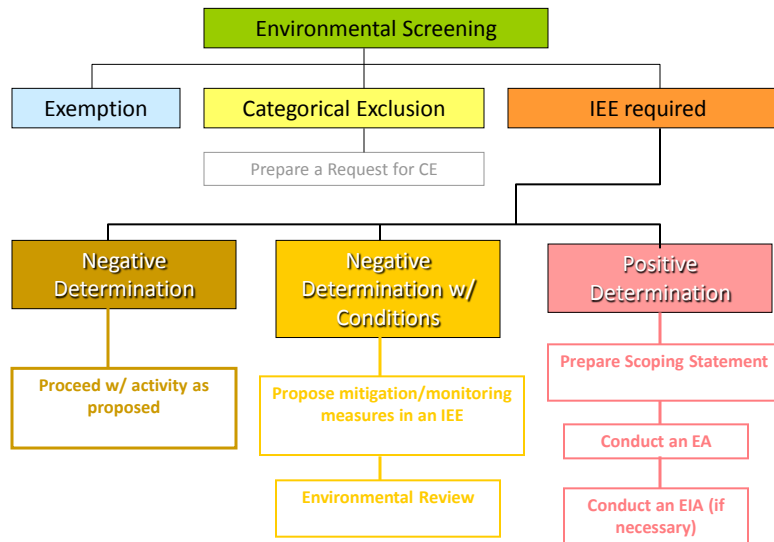FROM THE AMERICAN PEOPLE

What's in an IEE?

A. Program/Activity Data
B. Background/Activity Description
   - SO Purpose
   - Program/Activity Objective
   - Program Overview
   - Activities
C. Discussion of Env'l Impacts
   - Monitoring/Mitigation Table (if applicable)
D. Recommended Determination
E. Approving Signatures

USAID | ASIA
FROM THE AMERICAN PEOPLE

Environment Compliance Terminology

- **Exemption** – Int'l disaster assistance, other situation required by AA, DAAs
- **Categorical Exclusions** – No env'l impact expected (e.g., training, seminars, study tours, analyses, studies, technical assistance, etc.)
- **Negative Determination (w/o conditions)**– No significant impact to the environment expected
- **Negative Determination w/ conditions** – Minor impacts are expected but can be mitigated/ prevented with mitigation & monitoring plans
- **Positive Determination** – Adverse impacts are likely; needs an EA or EIA

The IEE Environmental Compliance Screening Process

```
Environmental Screening
├── Exemption
├── Categorical Exclusion
│       └── Prepare a Request for CE
└── IEE required
    ├── Negative Determination
    │       └── Proceed w/ activity as proposed
    ├── Negative Determination w/ Conditions
    │       └── Propose mitigation/monitoring measures in an IEE
    │               └── Environmental Review
    └── Positive Determination
            └── Prepare Scoping Statement
                    └── Conduct an EA
                            └── Conduct an EIA (if necessary)
```

USAID | ASIA
FROM THE AMERICAN PEOPLE

ENVIRONMENTAL COMPLIANCE IN SL PROGRAMS

Some sustainable landscapes activities may fall under the Reg. 216 Categorical Exclusion

Examples:
- *Training* in land use planning for decision making.
- Provision of locally specific climate impacts *analyses*.
- Support for government facilitation of, and citizen participation in, *consultations*.
- Pilot monitoring system for payments to local communities.
- *Training* in forest measurement and greenhouse gas emissions calculations.

USAID | ASIA
FROM THE AMERICAN PEOPLE

ENVIRONMENTAL COMPLIANCE IN SL PROGRAMS

However, those with potential environmental impacts fall will be given Negative with Conditions compliance determination.

Examples:

- Organize forest patrolling against illegal logging and forest fires.
- Establish community woodlot to reduce fuel wood collection pressure on forest.
- Help farmers adopt salt-water tolerant agricultural crops and aquaculture systems.

USAID | ASIA
FROM THE AMERICAN PEOPLE

ENVIRONMENTAL COMPLIANCE IN SL PROGRAMS

There are also a few grey areas related to policy development.

Example: Land use policy development --could potentially have negative impacts if not fully considering environmental impacts (e.g., biodiversity or watershed management).

Environmental compliance requires analysis, monitoring and communication between IP, A/COR & MEO throughout the LOP.

USAID | ASIA
FROM THE AMERICAN PEOPLE

Negative Determination with Conditions
What do we do?

Existing Activities—Environmental Review

- Prepared by the contractor/grantee when an activity is considered Negative Determination with Conditions -- Summary of project, description of activities, environmental impact potential and mitigation actions.

New Activities—Environmental Documentation Form

- Must be completed prior to initiation of work

USAID | ASIA
FROM THE AMERICAN PEOPLE

ENVIRONMENTAL MONITORING
Environmental Mitigation and Monitoring Plan (EMMP)

- An EMMP should either be included in or developed for (1) **all IEEs** that have at least one "Negative Determination with Conditions" (or for activities for which an environmental review has been completed pursuant to an IEE requirement) and (2) all Environmental Assessments (EAs).
- In all cases, the tasks identified in the EMMP are incorporated into the implementing partner's work plan, budget, and reporting.

USAID | ASIA
FROM THE AMERICAN PEOPLE

ENVIRONMENTAL MITIGATION AND MONITORING PLAN (EMMP)

- **Activity:** List all activities in IEE that received a "negative determination with conditions."
- **Mitigation Measure(s):** Mitigation measures from the IEE, or more well defined
- **Monitoring Indicator(s):** Specify indicators to (1) determine if mitigation is in place and (2) successful.
- **Monitoring and Reporting Frequency:** Monitor weekly, and report in quarterly reports.
- **Party(ies) Responsible** for mitigation, monitoring and or reporting